

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:09cr55**

UNITED STATES OF AMERICA,)	
)	
)	
Vs.)	ORDER
)	
WILLIAM ODELL DUELL, JR.)	
)	
Defendant.)	
)	

THIS MATTER is before the court on defendant's Motion to Extend Reporting Date.

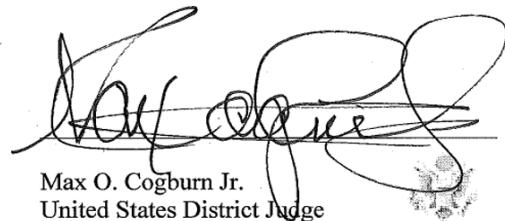
Such motion was filed on August 26, 2011, some five days before defendant was to report for service of his sentence, and was referred to the undersigned on September 22, 2011. Close review of the motion reveals that while a copy of the motion was sent to the government, consultation with the United States Attorney is not reflected in the motion.

For cause, defendant shows that he had back surgery in May 2011 and that while discharged from the hospital, he has a follow-up appointment with his surgeon. In any event, the request will be denied without prejudice inasmuch as it appears that such was received by this court too late to take any action as the BOP locator indicates defendant is now housed at FCI Petersburg.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion to Extend Reporting Date (#35) is **DENIED** without prejudice.

Signed: September 26, 2011



A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr." The signature is fluid and cursive, with a prominent 'M' at the beginning.

Max O. Cogburn Jr.
United States District Judge